

UNITED STATES DISTRICT COURT

for the
Northern District of California

Peter Kleidman

Plaintiff

v.

Justice Allison M. Danner, et al.

Defendant

Civil Action No. 5:23-cv-02782-VKD

WAIVER OF THE SERVICE OF SUMMONS

To: Peter Kleidman

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 08/29/2023, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/30/2023/s/ Megan A. S. Richards*Signature of the attorney or unrepresented party*Justice Charles E. Wilson*Printed name of party waiving service of summons*Megan A. S. Richards*Printed name*
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
*Address*Megan.Richards@doj.ca.gov*E-mail address*916-210-7739*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

CERTIFICATE OF SERVICE

Case Name: **Kleidman, Peter v. Justice
Allison M. Danner, et al.**

No. **5:23-cv-02782**

I hereby certify that on August 31, 2023, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

WAIVER OF SERVICE OF SUMMONS Re: Justice Charles E. Wilson

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On August 31, 2023, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

Peter Kleidman
680 E. Main St., #506
Stanford, CT 06901
Tel: (971) 217-7819
Fax: (971) 228-6000
Email: kleidman11@gmail.com
Plaintiff in Pro Per

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on August 31, 2023, at Sacramento, California.

Eileen A. Ennis
Declarant

/s/ Eileen A. Ennis
Signature